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EXAMINER	
FU, HAO	
ART UNIT	PAPER NUMBER
3693	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/630,708	STICKLER, VANTRESA	
	Examiner	Art Unit	
	HAO FU	3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 September 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-92* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-92* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Objection

Claims 47-69 are objected because "computer readable medium" no longer satisfies statutory requirement. Applicant is advised to revise to the term to "non-transitory computer readable medium".

Claim Rejection – USC 112

Claims 70-92 are means (or step) plus function limitation that invokes 35 U.S.C. 112, sixth paragraph. However, the written description fails to clearly link or associate the disclosed structure, material, or acts to the claimed function such that one of ordinary skill in the art would recognize what structure, material, or acts perform the claimed function.

Applicant is required to:

(a) Amend the claim so that the claim limitation will no longer be a means (or step) plus function limitation under 35 U.S.C. 112, sixth paragraph; or

(b) Amend the written description of the specification such that it clearly links or associates the corresponding structure, material, or acts to the claimed function without introducing any new matter (35 U.S.C. 132(a)); or

(c) State on the record where the corresponding structure, material, or acts are set forth in the written description of the specification that perform the claimed function. For more information, see 37 CFR 1.75(d) and MPEP §§ 608.01(o) and 2181.

Claim Rejection – USC 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 1-14, 16, 17, 20, 22-37, 39, 40, 43, 45-60, 62, 63, 66, 68-84, 85, 86, and 89-92 are rejected under 35 U.S.C. 103(a) as being unpatentable over Montgomery et al. (Pub. No.: US 2003/0101148), in view of US Patent Number 6,772,130 to Karbowski et al.

As per claim 1, 24, 47, and 70, Montgomery teaches a method, implemented using a computer system, for providing a verifiable delivery payment coding, comprising:

Transmitting, to a sender's computing device, verification data configured to be included in a delivery payment coding (see paragraph 0151-0152; indexing identifier, which is equivalent to verification data, is generated at centralized postage-issuing computer system and transmitted to end user's/sender's computing device; also see paragraph 0140 and fig. 19 and fig. 22, indexing identifier or verification data is included in barcode associated with postage amount; examiner interprets the coding show in fig. 19 and fig. 22 as delivery payment coding, because they show delivery payment information);

receiving an item in an item delivery system, the item comprising the delivery payment coding including the verification data (see paragraph 0154); and

obtaining, using the computer system, data from the item, wherein the data is distinct from the verification data (see paragraph 0157; postage verifier obtains mail information from the mail item, where the information includes mailing date, postage amount, origin of mail piece, and destination of mail piece; this data is distinct from the indexing identifier or the verification data);

obtaining, using the computer system, data from a verification database using the verification data as an index, wherein the data is distinct from the verification data (see paragraph 0155-0157; prior art retrieves a postage indicium from database by using the

indexing identifier as an index, the postage scanning station then displays the content of the postage indicium, which includes mailing date, postage amount, origin of mail piece, and destination of mail piece); and

verifying the authenticity of the delivery payment coding using the verification data (see paragraph 0157); the verifying comprising:

comparing, using the computer system, the data obtained from the item to the data obtained from the verification database, checking whether the data obtained from the item matches the data in the verification database (see paragraph 0155-0157; prior art retrieves a postage indicium from database by using the indexing identifier as an index, the postage scanning station then displays the content of the postage indicium, which includes mailing date, postage amount, origin of mail piece, and destination of mail piece; then the postage verifier compares the data retrieved from database to the data on the mail item to verify the authenticity of the postage code; examiner notes even though prior art teaches that the comparison is done manually, but the verifier utilizes the computer system to retrieve data for comparison, thus examiner still thinks the present claim language reads on the prior art; furthermore, to make a known manual process automatic would have been obvious to one of ordinary skill in the art, according to *In re Venner*, 120 USPQ 192, 194; 262 F2d 91 (CCPA 1958));

wherein if the data obtained from the item matches the data obtained from the verification database, updating the verification database (see paragraph 0159; prior art teaches that if the item matches the data obtained from the verification database, the mail item is then submitted for normal delivery processing, which includes mail item tracking; also see paragraph 0186-0191 for item tracking).

To support that updating the verification database with a time or location of the item in the item delivery system was known at the time of invention, examiner cites the Karbowski reference.

Karbowski teaches a package tracking system and method in which a send and a recipient of a package are provided e-mail messages including information from a sender or carrier web page and the package location status (see abstract). As such, Karbowski updating the verification database with a time or location of the item in the item delivery system (see abstract, column 2, line 53-58, and especially column 3, line 52-65).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the Montgomery reference with the teaching from the Karbowski reference to include a tracking and notification system. One of ordinary skill in the art would have been motivated to combine the references in order to in order to provide desirable delivery status information to users.

As per claim 2, 25, 48, and 71, Montgomery teaches wherein the verification data included in the delivery payment coding is machine readable (see abstract and paragraph 0152-0154).

As per claim 3, 26, 49, and 72, Montgomery teaches wherein the verification data included in the delivery payment coding is optically scanable (see abstract and paragraph 0152-0154; also see paragraph 0036, identifier could be read by an optical character reader).

As per claim 4, 27, 50, and 73, Montgomery teaches wherein the verification data is included in the delivery payment coding using at least one of a bar code and a PLANET code (see paragraph 0140 and 0152-0154).

As per claim 5, 28, 51, and 74, Montgomery teaches wherein the delivery payment coding is included in an address label (see fig. 19, fig. 22, and paragraph 0152).

As per claim 6, 29, 52, and 75, Montgomery teaches wherein the delivery payment coding includes a visual representation of a monetary value associated with the delivery payment coding (see fig. 19 and fig. 22).

As per claim 7, 30, 53, and 76, Montgomery teaches wherein the item delivery system comprises the United States Postal Service(see paragraph 0033, 0080, and 0088).

As per claim 8, 31, 54, and 77, Montgomery teaches wherein the item comprises at least one of a mail piece, a United States Postal Service Priority Mail package, a United States Postal Service Express Mail Package, a United States Postal Service Global Express Mail Package, and a United States Postal Service Global Express Guarantee Package (see paragraph 0033 and 0082, these service classes of USPS were well known to one of ordinary skill in the art).

As per claim 9, 32, 55, and 78, Montgomery teaches transmitting the verification data further comprises utilizing at least one of regular mail, email, internet, and an interactive voice response system (see paragraph 0134).

As per claim 10, 33, 56, and 79, Montgomery teaches transmitting the verification data further comprises communicating over a network (see paragraph 0134).

As per claim 11, 34, 57, and 80, Montgomery teaches wherein the verification data is provided in an encrypted format (see paragraph 0152, indexing identifier or verification data is printed as barcode, which is a form of encrypted format).

As per claim 12, 35, 58, and 81, Montgomery teaches receiving a request for the verification data included in the delivery payment coding (see paragraph 0035, 0038, and 0148); and

receiving a payment for delivery of the item (see fig. 19 and fig. 22, it is inherent that a payment is received by the postal service entity for delivering an item).

As per claim 13, 36, 59, and 82, Montgomery teaches wherein at least one of receiving the request for the verification data included in the delivery payment coding and receiving the payment further comprises utilizing at least one of regular mail, e-mail, facsimile, internet, and an interactive voice response system (see paragraph 0134).

As per claim 14, 37, 60, and 83, Montgomery teaches wherein at least one of receiving the request for the verification data included in the delivery payment coding and receiving the payment further comprises communicating over a network (see paragraph 0134).

As per claim 16, 39, 62, and 85, Montgomery teaches delivering the item to a recipient; and confirming the item delivery using the verification data from the delivery payment coding (see paragraph 0180, 0184, and 0186-0191, prior art provides delivery status and confirmation using tracking number; see paragraph 0140 last sentence, tracking number could be used as indexing identifier).

As per claim 17, 40, 63, and 86, Montgomery implies wherein the data obtained from the item is a payment for the weight of the item and the comparing comprises comparing the payment for the weight of the item with the payment received for delivery of the item (see paragraph 0158).

As per claim 20, 43, 66, and 89, Montgomery teaches update indicating that the item is in route through the item delivery system to a recipient (see paragraph 0169, 0183, and 0187-0191).

As per claim 22, 45, 68, and 91, Montgomery teaches wherein transmitting verification data further comprises providing the verification data to a user through a user device, the user device configured to produce the delivery payment coding including the verification data (see paragraph 0151 and 0152).

As per claim 23, 46, 69, and 92, Montgomery teaches wherein the user device is located in at least one of a home, an office, a store, a retail center kiosk, and an office of an item delivery system operator (see paragraph 0151 and 0152, end user device is presumed to locate in a home or an office).

Claim 19, 42, 65, and 88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Montgomery et al. (Pub. No.: US 2003/0101148), in view of US Patent Number 6,772,130 to Karbowski et al. and US Patent Number 6,385,504 to Pintsov et al.

As per claim 19, 42, 65, and 88, Montgomery teaches verifying the authenticity of the delivery payment coding further comprises updating the verification database if it is determined that the verification data is valid (see paragraph 0157-0159). However, Montgomery does not explicitly teach the update indicates that the verification data has been used.

Pintsov teaches the update indicates that the verification data has been used (see abstract, column 3, line 39-55, "unique identifier" is equivalent to verification data; Pintsov further teaches "the carrier service may note this fact in the carrier records to prevent reuse of the unique identifier").

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the Montgomery reference with the teaching from Pintsov to include the update indicates that the verification data has been used.

One of ordinary skill in the art would have been motivated to combine the references in order to prevent reuse of the verification data.

Claim 15, 18, 21, 38, 41, 44, 61, 64, 67, 84, 87, and 90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Montgomery et al. (Pub. No.: US 2003/0101148), in view of US Patent Number 6,772,130 to Karbowski, and further in view of Official Notice.

As per claim 15, 38, 61, and 84, Montgomery does not explicitly teach wherein receiving the payment comprises at least one of sending a bill, debiting a checking account, debiting a credit card account, debiting a debit card account, and receiving cash.

Official Notice is taken that receiving the payment comprises at least one of sending a bill, debiting a checking account, debiting a credit card account, debiting a debit card account, and receiving cash is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the Montgomery reference with the teaching from Official Notice to include receiving the payment comprises at least one of sending a bill, debiting a

checking account, debiting a credit card account, debiting a debit card account, and receiving cash.

One of ordinary skill in the art would have been motivated to combine the references in order to provide payment option.

As per claim 18, 41, 64, and 87, Montgomery does not teach wherein verifying the authenticity of the delivery payment coding further comprises returning the item to a sender if it is determined that the verification data is invalid.

Official Notice is taken that returning the item to a sender if it is determined that the verification data is invalid is old and well known.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the Montgomery reference with the teaching from Official Notice to include returning the item to a sender if it is determined that the verification data is invalid.

One of ordinary skill in the art would have been motivated to combine the references in order to improve customer service.

As per claim 21, 44, 67, and 90, Montgomery does not teach wherein the verification data is configured to be invalid after a period of time has passed after the verification data was provided.

Official Notice is taken that making verification data or identifier invalid after a period of time is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the Montgomery reference with the teaching from Official Notice to include verification data is configured to be invalid after a period of time has passed after the verification data was provided.

One of ordinary skill in the art would have been motivated to combine the references in order to set time limit to the mailer for sending out the item.

Prior Art Cited but not Applied

US Patent No.: 6,976,007 to Boucher et al. is cited because it teaches a tracking system which collects notification information from sender, updates the database regarding to the whereabouts of an item, and sends email notice to the sender regarding to the delivery status of the item.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HAO FU whose telephone number is (571)270-3441. The examiner can normally be reached on Mon-Fri/Mon-Thurs 11:30am-8:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAMES KRAMER can be reached on (571) 272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James A. Kramer/
Supervisory Patent Examiner, Art Unit 3693

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DEC-10

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